

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA**

CHRISTINE LOGAN, on behalf of
herself and on behalf of all others
similarly situated,

Plaintiff,

v.

FURNITURE MART USA, INC.,

Defendant.

Case No. 4:25-CV-4018-CCT

(Filed Feb. 5, 2025)

GABRIEL HILMAR, on behalf of
himself and on behalf of all others
similarly situated,

Plaintiff,

v.

FURNITURE MART USA, INC.,

Defendant.

Case No. 4:25-CV-04020-CBK

(Filed Feb. 7, 2025)

BRODY SCHAFFER, on behalf of
himself and on behalf of all others
similarly situated,

Plaintiff,

v.

FURNITURE MART USA, INC.,

Defendant.

Case No. 4:25-cv-4021-RAL

(Filed Feb. 7, 2025)

**PLAINTIFFS' AMENDED MOTION TO CONSOLIDATE CASES AND
APPOINT INTERIM CLASS COUNSEL**

Plaintiffs Christine Logan, Garbiel Hilmar, and Brody Schaffer, (collectively, "Plaintiffs"), on behalf of themselves and on behalf of all others similarly situated (the

“Class” or “Class Members”), respectfully move pursuant to Federal Rule of Civil Procedure 42(a) for an order consolidating the above-captioned matters (collectively, the “Related Actions”), and all other actions (now and in the future) naming Furniture Mart USA, Inc. (“Defendant”) as a defendant that arise from the data breach Defendant experienced on or around November 3, 2024.

Additionally, Plaintiffs respectfully move under Federal Rule of Civil Procedure 23(g) for an order appointing Kennedy M. Brian of Federman & Sherwood, Leigh Montgomery of EKSM, LLP, and Eduard Korsinsky of Levi & Korsinsky, LLP as Interim Co-Lead Class Counsel.

This Motion is based on the accompanying Memorandum of Law, the exhibits attached thereto, any argument presented to the Court, and all matters of which the Court may take judicial notice. ¹

Date: February 18, 2025

Respectfully Submitted,

/s/: Brett Waltner

Brett Waltner

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Local Counsel for Plaintiffs and the Class

¹ An initial Motion to Consolidate Cases and Appoint Interim Class Counsel and Memorandum of Law in Support was filed on February 14, 2025 (ECF No. 3). However, the exhibits were inadvertently mislabeled. This Amended Motion to Consolidate Cases and Appoint Interim Class Counsel addresses this error.

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(* denotes *pro hac vice* forthcoming)

***Proposed Interim Co-Lead Class
Counsel***

CERTIFICATE OF SERVICE

I certify that on February 18, 2025, this motion was filed in the United States District Court for the District of South Dakota, and a true and correct copy of this motion was mailed to Defendant at 140 E. Hinks Lane, Sioux Falls, SD 57104.

/s/: Brett Waltner

Brett Waltner